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11 GLAXOSMITHKLINE

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 JAMES DALE SIMS, an individual, and
16 LINDA SIMS, an individual

17 Plaintiffs,

18 v.

19 SMITHKLINE BEECHAM
20 CORPORATION d/b/a
21 GLAXOSMITHKLINE,

22 Defendant.

Case No. CV-08-0364 EDL

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR
REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

23 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT
24 JUDGE.

25 The undersigned party hereby declines to consent to the assignment of this case to
26 a United States Magistrate Judge for trial and disposition and hereby requests the
27 reassignment of this case to a United States District Judge.

28 Dated: February 6, 2008

DRINKER BIDDLE & REATH LLP

/s/ Krista L. Cosner
KRISTA L. COSNER
Attorneys for Defendant

SMITHKLINE BEECHAM CORPORATION
d/b/a GLAXOSMITHKLINE